

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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AGERE SYSTEMS, INC., CYTEC  
INDUSTRIES, INC., FORD MOTOR  
COMPANY, SPS TECHNOLOGIES, LLC  
and TI GROUP AUTOMOTIVE  
SYSTEMS, LLC

Plaintiffs,

v.

ADVANCED ENVIRONMENTAL  
TECHNOLOGY CORPORATION, et al.,

Defendants.

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Civil Action No. 02-CV-3830 (LDD)

**DECLARATION OF MONIQUE  
MOONEY IN SUPPORT OF  
PLAINTIFFS' CROSS-MOTION  
FOR SUMMARY JUDGMENT  
AND IN OPPOSITION TO AETC'S  
MOTION FOR SUMMARY  
JUDGMENT**

MONIQUE MOONEY, pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am an attorney admitted to the bar of the State of Pennsylvania with the firm of Ballard Spahr Andrews & Ingersoll, LLP, attorneys for Plaintiffs Agere Systems, Inc., Cytec Industries, Inc., Ford Motor Company, SPS Technologies, LLC, and TI Group Automotive Systems, LLC ("Plaintiffs") in the above-captioned matter. I am admitted to practice before the United States District Court for the Eastern District of Pennsylvania and am an attorney of record in the above-captioned matter.
2. A true and accurate copy of pertinent pages of the transcript of the deposition of Robert Landmesser, taken on November 22 2004 in the above-captioned action, is annexed hereto as Exhibit 1.
3. A true and accurate copy of pertinent pages of the transcript of the deposition of John Leuzarder, taken on November 29, 2004 in the above-captioned action, is annexed hereto as Exhibit 2.

4. A true and accurate copy of pertinent pages of the transcript of the deposition of Arthur Curley, taken on December 9, 2004 in the above-captioned action, is annexed hereto as Exhibit 3.

5. A true and accurate copy of pertinent pages from Leuzarder Deposition Exhibit no. 4 (Letter from John Leuzarder to Mr. Art Curley dated 8/3/76 produced in the above-captioned action as documents AETC 176 and 177), marked at the November 29, 2004 deposition of John Leuzarder, is annexed hereto as Exhibit 4.

6. A true and accurate copy of Landmesser Deposition Exhibit no. 5 (Letter from H.D. Hollwedel to Mr. Robert Landmesser dated 4/14/77), marked at the December 28, 2004 deposition of Robert Landmesser, is annexed hereto as Exhibit 5.

7. A true and accurate copy of Landmesser Deposition Exhibit no. 6 (AETC Invoice no. 002382 dated 3/7/77), marked at the December 28, 2004 deposition of Robert Landmesser, is annexed hereto as Exhibit 6.

8. A true and accurate copy of pertinent pages of the transcript of the deposition of John Leuzarder, taken on December 6, 2004 in the above-captioned action, is annexed hereto as Exhibit 7.

9. True and accurate copies of a check from AETC to DeRewal Chemical dated 3/1/77 (produced in the above-captioned action as document AETC130); DeRewal Chemical Co. invoice no. 1388 dated 3/19/77 (produced in the above-captioned action as document AETC132) and DeRewal Chemical Co. invoice no. 1402 dated 4/9/77 (produced in the above-captioned action as document ASHL00249), are annexed hereto as Exhibit 8.

10. A true and accurate copy of pertinent pages from Curley Deposition Exhibit no. 4, marked at the December 9, 2004 deposition of Arthur Curley, (undated Agreement

of Contract between AETC and Ashland produced in the above-captioned action as documents AETC184-190) is annexed hereto as Exhibit 9.

11. A true and accurate copy of pertinent pages of the transcript of the deposition of Robert Landmesser, taken on December 6, 2004 in the above-captioned action, is annexed hereto as Exhibit 10.

12. A true and accurate copy of Curley Deposition Exhibit no. 5 (Memorandum to File from A.T. Curley dated 9/20/76), marked at the December 9, 2004 deposition of Arthur Curley, is annexed hereto as Exhibit 11.

13. A true and accurate copy of Curley Deposition Exhibit no. 6 (Memorandum to J. Minott/W.R. Starkey from A.T. Curley dated 10/19/76), marked at the December 9, 2004 deposition of Arthur Curley, is annexed hereto as Exhibit 12.

14. A true and accurate copy of Curley Deposition Exhibit no. 8 (Memorandum to W.R. Starkey from A.T. Curley dated 4/14/77), marked at the December 9, 2004 deposition of Arthur Curley, is annexed hereto as Exhibit 13.

15. True and accurate copies of Ashland bills of lading, produced by Ashland in the above-captioned action, are annexed hereto as Exhibit 14.

16. A true and accurate copy of pertinent pages of the transcript of the deposition of Manfred DeRewal, Jr., taken on May 13, 2003 in the above-captioned action, is annexed hereto as Exhibit 15.

17. A true and accurate copy of Landmesser Deposition Exhibit no. 4 (Countersigned Letter from R.W. Landmesser to Mr. Don Hollwedel dated 1/7/77), marked at the December 6, 2004 deposition of Robert Landmesser, is annexed hereto as Exhibit 16.

18. A true and accurate copy of Leuzarder Exhibit no. 9 ( DeRewal Invoice no. 1401 dated 3/31/77), marked at the December 6, 2004 deposition of John Leuzarder, is annexed hereto as Exhibit 17.

19. True and accurate copies of a Diaz Purchase Order dated 1/3/77 and Diaz bills of lading produced in the above-captioned action are annexed hereto as Exhibit 18.

20. A true and accurate copy of Leuzarder Exhibit no. 9 ( DeRewal Invoice no. 1401 dated 3/31/77), marked at the December 6, 2004 deposition of John Leuzarder, is annexed hereto as Exhibit 19.

21. True and accurate copies of Waste Discharge Inspection Reports dated 2/14/73 and 3/5/73, respectively; a cleanup agreement dated 3/21/73; and a Bucks County Memorandum dated 1/8/74 (produced in discovery in the above-captioned action and publicly available as government records) are annexed hereto as Exhibit 20.

22. A true and accurate copy of Curley Deposition Exhibit no.2 (Memorandum to W.R. Starkey from A.T. Curley dated 8/23/76), marked at the December 9, 2004 deposition of Arthur Curley, is annexed hereto as Exhibit 21.

23. A true and accurate copy of pertinent pages of the deposition of Manfred DeRewal, Sr., taken on May 9, 2003 in the above-captioned action, is annexed hereto as Exhibit 22.

24. A true and accurate copy of pertinent pages of the deposition of Linda Cochran, taken on May 15, 2003 in the above-captioned action, is annexed hereto as Exhibit 23.

25. A true and accurate copy of Leuzarder Deposition Exhibit no. 11 (Letter from John Leuzarder to Mr. Fred DeRewal dated 9/9/76), marked at the December 6, 2004 deposition of John Leuzarder, is annexed hereto as Exhibit 24.

26. A true and accurate copy of the Complaint issued to Manfred DeRewal by the Philadelphia Police Department on March 29, 1977 and produced in discovery in the above-captioned action is annexed hereto as Exhibit 25.

27. True and accurate copies of Ashland disposal logs produced in the above-captioned action are annexed hereto as Exhibit 26.

28. True and accurate copies of a Letter from John Leuzarder to Art Curley dated 4/19/77 (produced in the above-captioned action as document AETC191); a Letter from John Leuzarder to Mr. Art Curley dated 5/27/77 (produced in the above-captioned action as document AETC192); a Letter from John Leuzarder to Mr. Clarence Kroblauch dated 6/21/77 (produced in the above-captioned action as document AETC193); a Letter from John Leuzarder to Mr. John Wengryn, Jr. (produced in the above-captioned action as document AETC 194); and a Letter from Robert Landmesser to Mr. Art Curley dated 12/28/77 (produced in the above-captioned action as document AETC196), are annexed hereto as Exhibit 27.

29. A true and accurate copy of a Certificate of Insurance for AETC dated 11/4/77 and produced in the above-captioned action as document AETC195, is annexed hereto as Exhibit 28.

30. A true and accurate copy of a Letter from John Leuzarder to Mr. Art Curley dated 9/28/76 and produced in the above-captioned action as documents AETC180-AETC182, is annexed hereto as Exhibit 29.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Monique M. Mooney  
Monique M. Mooney, Esquire

Executed on September 14, 2006